



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

August 24, 2016

DATHAN VOELTER, TREASURER
KEEP THE PROMISE PAC
P.O. BOX 92225
AUSTIN, TX 78709-2225

Response Due Date

09/28/2016

IDENTIFICATION NUMBER: C00575415

REFERENCE: AMENDED MARCH MONTHLY REPORT (02/01/2016 - 02/29/2016),
RECEIVED 04/20/2016

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 8 item(s):

1. Schedule B supporting Line 21(b) discloses disbursements to credit card companies. When reporting payments to credit card companies, if the payment to the original vendor aggregates in excess of \$200 in a calendar year, you must itemize the name of the original vendor, address, date, amount, and purpose as a memo entry as well as clearly identify the credit card payment to which each memo entry relates. Please amend your report to include the missing information or provide clarifying information if memo items are not required. (11 CFR § 104.9)
2. On Schedule B supporting Line 21(b) you disclose disbursements which appear to be identical to the disbursements disclosed on Schedule E. Be advised that independent expenditures should only be disclosed on Schedule E supporting Line 24. Please amend your report to clarify this discrepancy.
3. Schedule B supporting Line 21(b) of your report discloses apparent payments of debts for independent expenditures incurred during previous reporting periods. If the original amount of these expenditures was reported incorrectly, then the original reports should be amended to correct this disclosure. However, if these entries represent payment of debts for independent expenditures, then these transactions should be itemized as non-MEMO entries on Schedule E supporting Line 24 of the Detailed

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Summary Page. Please amend your report to correct these discrepancies or provide clarification regarding these transactions.

4. Schedule B supporting Line 21(b) of your report discloses apparent payments for independent expenditures incurred during this or previous reporting periods. If the original amount of these expenditures was reported incorrectly, then the original reports should be amended to correct this disclosure.

However, if these entries represent independent expenditures that were paid in a reporting period before they were disseminated, there are two methods of disclosure. Using the first method, you may disclose the payment on Schedule B supporting Line 21(b) as an operating expenditure. In a subsequent period when the independent expenditure is publicly disseminated, you should disclose the independent expenditure on Schedule E and disclose the same amount on Schedule B supporting Line 21(b) as a negative entry. You should provide a cross reference between these entries. Using the second method, you would disclose the independent expenditure on Schedule E at the time the payment is made. You would disclose the date of payment and, if known, the date of dissemination. With the second method, no other reporting obligation is required, except for filing any necessary 24 or 48 Hour Reports and including a cross reference between the entries.

5. Schedule E supporting Line 24 of your report discloses \$9,099.98 in activity paid to "Campaign Data Solutions, LLC" and "Thomas Graphics, Inc." identified as MEMO entries that do not appear to correspond with any itemized transaction(s). Please be advised, a memo entry is used to disclose additional information about an itemized transaction and the amount of a memo entry is not included in the total receipts or disbursements for the report. Please amend your report to provide clarifying information regarding this activity. (11 C.F.R. § 104.3(a) and (b))

If these memo entries represent independent expenditures that were paid in a reporting period before they were disseminated, there are two methods of disclosure. Using the first method, you may disclose the payment on Schedule B supporting Line 21(b) as an operating expenditure. In a subsequent period when the independent expenditure is publicly disseminated, you should disclose the independent expenditure on Schedule E and disclose the same amount on Schedule B supporting Line 21(b) as a negative entry. You should provide a cross reference between these entries. Using the second method, you would disclose the independent expenditure on Schedule E at the time the

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payment is made. You would disclose the date of payment and, if known, the date of dissemination. With the second method, no other reporting obligation is required, except for filing any necessary 24 or 48 Hour Reports and including a cross reference between the entries.

6. Your committee has filed a 24-hour report for an independent expenditure supporting "Rafael Edward 'Ted' Cruz" (see attached) which has not been itemized on Schedule E supporting Line 24 of the Detailed Summary Page. Please be advised that independent expenditures disclosed on 24-hour reports must also be itemized on a corresponding Schedule E or MEMO Schedule E and Schedule D (if applicable), in the appropriate reporting period. Further, if the actual payment(s) for the independent expenditure(s) occurs after the date of dissemination, the appropriate report(s) should continue to show payment on Schedule E and Schedule D, until the debt is fully extinguished. Please amend your report and any subsequent reports that may be affected by this correction. (11 CFR §104.4)

7. Schedule E for Line 24 of your report discloses MEMO entries for apparent independent expenditures made on behalf of "Rafael Edward 'Ted' Cruz" during this reporting period. However, a Schedule D supporting Line 10 has not been provided. Please be advised that if a communication is aired in one reporting period and the payment is made in a later reporting period, the independent expenditure should be reported as a memo entry on Schedule E when the communication is publicly disseminated or distributed, and on a Schedule D if it is a reportable debt under 11 CFR §104.11. Subsequently, when the payment for the independent expenditure is made, the report should show a payment on Schedule E and the same payment on Schedule D, if applicable. Please amend your report to clarify this apparent discrepancy. (11 CFR §104.4)

8. Schedule D of your report discloses an \$11,817.04 debt for "Printing - 2-19/2-23 IEs" owed to "Thomas Graphics, Inc." However, Schedule E for Line 24 of your report discloses apparent corresponding MEMO entries for independent expenditures totaling \$11,024.38 during this reporting period, a discrepancy of \$792.66. Please be advised that if a communication is aired in one reporting period and the payment is made in a later reporting period, the independent expenditure should be reported as a memo entry on Schedule E when the communication is publicly disseminated or distributed, and on a Schedule D if it is a reportable debt under 11 CFR §104.11. Subsequently, when the payment for the independent expenditure is made, the report should show a payment on Schedule E and the same payment on Schedule D, if

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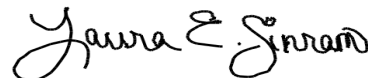
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applicable. Please amend your report to clarify this apparent discrepancy. (11 CFR §104.4)

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1157.

Sincerely,



Laura Sinram
Sr. Campaign Finance & Reviewing Analyst
Reports Analysis Division

Missing Schedule E (24 Hour Report)
Keep the Promise PAC (C00575415)

Name of Payee	Dissemination Date	Amount	Candidate	Election
Campaign Sidekick	2/19/16	\$3,738.45	Rafael Edward 'Ted' Cruz	P2016 - SC
Campaign Sidekick	2/23/16	\$3,096.73	Rafael Edward 'Ted' Cruz	P2016 - NV